

## Legislation Details (With Text)

<b>File #:</b>	6165	<b>Version:</b>	1	<b>Name:</b>	PLZPD 2023-026 Repeal Of Planned Development Number 159 (Zoning) - PH
<b>Type:</b>	Public Hearing	<b>Status:</b>		<b>Status:</b>	Passed
<b>File created:</b>	5/10/2023	<b>In control:</b>		<b>In control:</b>	City Council
<b>On agenda:</b>	6/6/2023	<b>Final action:</b>		<b>Final action:</b>	6/6/2023
<b>Title:</b>	Hold A Public Hearing And Consider An Ordinance Amending The Zoning To Repeal Planned Development District No. 159 (PD-159) For An Approximately 0.63-Acre Tract Located At 2775 East Trinity Mills Road And At The Northwest Corner Of Marsh Lane And East Trinity Mills Road; Amending The Official Zoning Map Accordingly. Case No. PLZPD 2023-026 Repeal Of Planned Development Number 159.				

**Sponsors:****Indexes:****Code sections:**

**Attachments:** 1. Results Sheet, 2. Locator Zoning Map, 3. Technical Comments, 4. Draft P&Z Minutes, 5. Proposed Ordinance

Date	Ver.	Action By	Action	Result
6/6/2023	1	City Council		

**CC MEETING: June 6, 2023**

**DATE:** May 22, 2023

**TO:** Erin Rinehart, City Manager

**FROM:** Loren Shapiro, AICP, Planning Manager  
Marc Guy, Assistant City Manager

**Hold A Public Hearing And Consider An Ordinance Amending The Zoning To Repeal Planned Development District No. 159 (PD-159) For An Approximately 0.63-Acre Tract Located At 2775 East Trinity Mills Road And At The Northwest Corner Of Marsh Lane And East Trinity Mills Road; Amending The Official Zoning Map Accordingly.** Case No. PLZPD 2023-026 Repeal Of Planned Development Number 159.

**BACKGROUND:**

This is a City-initiated request to reassess the continued appropriateness of Planned Development No. 159 (PD-159). It is part of a regular process of staff assessment of the continued appropriateness of planned development districts and special use permits across the City. The repeal would eliminate PD-159 and retain the base zoning of the (LR-2) Local Retail District.

PD-159 was established on March 5, 2002, by the City Council to allow a reduced rear yard setback (5 feet in lieu of the required 10 feet) for a proposed expansion to a convenience store and gasoline service station. At the time of PD-159's adoption, the City's Zoning Ordinance allowed gasoline service stations by right in the (LR-2) Local Retail District, whereas today it requires City Council approval of a special use permit (SUP).

A freestanding retail building was constructed in 2005, meeting the minimum 10-foot rear yard setback for the base (LR-2) Local Retail District. As a result, a planned development district is not needed on this property.

**STAFF RECOMMENDATION/ACTION DESIRED:**

On May 4, 2023, the Planning and Zoning Commission recommended **APPROVAL** of the request. The attached ordinance reflects the action of the Commission.

Staff recommends approval and adoption of the ordinance repealing PD-159.